

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date: 9-21-72 by plaintiffs
1-18-73 by Pltf.s

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS			
<p>BOARD OF COUNTY COMMISSIONERS OF TULSA COUNTY, OKLAHOMA,</p> <p>Plaintiff,</p> <p>vs.</p> <p>CERTAIN PARCELS OF LAND IN TULSA COUNTY, OKLAHOMA, containing 4.23 Acres more or less; Lizzie Childers, Allottee Creek Indian Roll No. 654, now known as Lizzie Childers Vest and John Vest, her husband; the United States of America; Secretary of Interior; State of Oklahoma, ex rel, Oklahoma Tax Commission; County Treasurer of Tulsa County, Oklahoma,</p> <p>Defendant.</p> <p>Commissioners: Ed Montgomery Charles Froeb Peyton Breckinridge</p>		<p>For plaintiff:</p> <p>S.M. Fallis, Jr. District Attorney 14th Judicial District Tulsa County Courthouse Tulsa, Okla. 74103</p> <p>Marvin E. Spears, Asst DA</p> <p>For defendant:</p> <p>Robert P. Santee, Asst. U.S. Atty. For: Certain Parcels of Land, Lizzie Childers, John Vest, U.S.A., Sec. of Interior.</p> <p>Andrew B. Allen (John F. Cantrell, Tulsa Co. Treasurer)</p>			
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 4-1-72	Clerk	1972 4-5 4-6-72	Co. Clk C.D.No.45	15 00	15 00
J.S. 6 mailed 4-1-73	Marshal				
Basis of Action:Condemnation.	Docket fee				
	Witness fees				
Action arose at:	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
3-23-72	Complaint filed and Notice issued. v	
3-28-72	Notice of Appearance of the Deft. John F. Cantrell, filed. v	
3-30-72	Return of service of notice & compl., filed. Served Atty Gen. on 3/23/72. (USM \$3) rm	
3-30-72	Return of service of notice & compl., filed. Served Sec. of Int. on 3/23/73 (USM \$3) rm	
3-30-72	Return of service of notice & compl., filed. Served Clarence DeWeese, OTC on 3/24/72 in Okla. City. (USM \$4.72) rm	
3-30-72	Return of service of notice & compl., filed. Served John F. Cantreal, city. treas. on 3/24/72 in Tulsa (USM \$3) rm	
3-30-72	Return of service of notice & compl., filed. Served Lizzie Childers Vest on 3/28/72 in Coweta (USM \$10.84) rm	
3-30-72	Return of service of notice and compl., filed. Served John Vest in Coweta on 3/28/72 (USM \$4.00) rm	
4-7-72	Disclaimer of State of Okla. ex rel. Okla. Tax Commission, filed. hm	
4-12-72	Pltf's motion for order for delivery of possession, filed. hm <i>order to judge</i>	
4-18-72	Order for delivery of Possession, filed. (AEB-J)r (copy mailed to Pltf)	
7-14-72	General Appearance and Waiver of Notice, waiving any time requirement prerequisite to the appointment of commissioners herein for the purpose of appraising their damages, but reserving statutory time for demanding a jury trial, filed. v (Robert Santee and Andrew Allen-appearing)	
7-31-72	Order appointing Commissioners, Ed Montgomery, Charles Froeb & Frank Lewis, filed. (AEB-J)r (Copies to attys; Copy to commrs - Oath of Office, Report of Commrs., and Notice in Condemnation Proceeding sent to Chairman Mr. Montgomery.	
8-29-72	Oath of office of commissioners, filed. ds	
8-29-72	Report of commissioners, filed. ds	
8-29-72	Notice in condemnation proceeding, filed. ds (notices mailed to Robert Santee, Andrew B. Allen and Marvin E. Spears.)	
9-15-72	Appl. for Allowance of Commissioners' Fees, filed. v	
9-21-72	Plaintiff's demand for jury, filed. ds	
10-2-72	Order to pay commissioners' fees in the amt. of \$225.00 each filed. (AEB-J)h	
10-2-72	Order vacating and setting aside appointment of commissioners and an order appointing Ed Montgomery, Charles Froeb and Peyton Breckinridge commissioners filed. (AEB-J)h	
10-13-72	Oath of Office of Commissioners filed. h	
11-22-72	Order vacating and setting aside appoint of commissioners and an order appointing Ed Montgomery, Charles Froeb and Phillips Breckenridge commissioners filed. (AEB-J)h (copy to Phillips Breckinridge)	
1-16-73	Oath of office of commrs., filed. rm	
1-16-73	Report of commissioners, filed. rm - copies mailed to list on notice, to commrs., and counsel of record.	
1-18-73	Pltf. Demand for Jury Trial, filed. v	
1-23-73	Application for allowance of commissioners' fees, filed. ds	
1-23-73	Order to pay commissioners' fees in the sum of \$375.00 filed. ds	

(Cont)

DATE

PROCEEDINGS

Date Order or
Judgment Noted

3-8-73

Journal Entry of Judgement, filed and entered, that Clerk pay \$11,825. to the Bureau of Indian Affairs, Muskogee, Okla. to credit of Hzzie Childers Vest, Allottee Creek Indian Roll No. 654. (AEB-J)r (Copies mailed)

72-C-99

Commissioners:

✓ Ed Montgomery, Petro Club Bldg. 585-2751

✓ Charles Froeb, Thurston Bldg., 583-9922

~~Peyton Breckinridge, 5525 E. 51st~~~~663-1144~~
Philip Breckinridge, 4th Natl Bldg
Tulsa,

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